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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,539	12/04/2000	Franciscus Reza Paul Adam	41EB-1084	4785

7590 12/16/2004

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EXAMINER

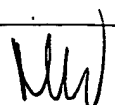
KARMIS, STEFANOS

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/729,539	Applicant(s) ADAM ET AL.	
	Examiner Stefano Karmis	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☒ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/12/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following application has been reviewed. Original claims 1-36 are pending. The claim rejections are stated below.

Claim Objections

2. Claim 21 is objected to because of the following informalities: Claim 21 claims improperly claims dependency to claim 23. The Examiner believes Applicant meant to claim dependency upon claim 20, and interprets the claim in this manner. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1-14, 16, 18-32 and 34-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Kellstrom, Jr. (hereinafter Kellstrom) U.S. Patent 6,622,149.

Regarding independent claims 1 and 23, Kellstrom discloses a method and system for saving and recalling bill of materials information using a network based system including a server and at least one device connected to the server via a network, said method and system comprising:

receiving bill of materials information from a user via the device (column 8, lines 15-40);
comparing the received bill of material information with pre-stored bill of material information (column 8, lines 15-40);

selecting at least one bill of material that matches the received information (column 8, lines 15-40); and

displaying the pre-stored information related to the received bill of material information (column 9, lines 1-14).

Claim 2, receiving an identification for the bill of materials (column 8, lines 15-40).

Claim 3, receiving at least one of an identifying number, name and a date (column 8, lines 15-40).

Claims 4 and 25, receiving at least one of a customer number, a creator name, a creation date, a reviser name, a revision date, a revisions number, a project name, a bid date, a bid type, a

purchase order number, and a customer purchase order number (column 8, lines 15-40 and column 9, lines 14-33 and Figure 11G).

Claims 5-14, receiving bill of material information from a user further comprises receiving customer numbers, creation data, revision data, project name, and purchase order numbers (column 8, lines 15-46, column 10, lines 22-60).

Claim 16, allowing the user to modify the pre-stored information (column 9, lines 14-33).

Claim 18, displaying a catalog number and a list price for a product (column 10, lines 22-42).

Claims 19 and 32, the bill of material information is received from the user via a graphical user interface (column 9 lines 1-13).

Claim 20, validating configuration compatibility based on the received product specification information to determine whether a resulting product having the received product specifications is capable of meeting parameters of the product (column 7, lines 21-55).

Claims 21 and 22, guiding the user in product selection (column 8, lines 47-67).

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Claim 24, the server is configured to download to the user the information related to the bill of materials (column 4, lines 51-60).

Claim 26, the server is further configured to display the accessories for a product (column 8, lines 47-67).

Claims 27-30, the server is configured to receive an identification of a product, display the features of the product, display accessories, and a catalog number and list price (column 10, lines 22-42, column 9, lines 14-33 and Figure 11W).

Claim 31, generating a quotation of the product (column 10, lines 22-42).

Claims 34-36, the device is configured to be a server for a network, are connected to a network or is one of a local area network (column 4, lines 30-67).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claim 15, 17 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kellstrom, Jr. (hereinafter Kellstrom) U.S. Patent 6,622,149.

Claims 15, 17 and 33, Kellstrom teaches pre-stored information. Kellstrom fails to teach that the pre-stored information is an order. Official Notice is taken that allowing users to submit pre-stored information as an order, is old and well known in the art. Therefore, it would have been obvious to anyone of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Kellstrom to include pre-stored information as an order because it provides an efficient manner to purchase the desired materials for a certain project and also have the ability to modify the order as the project changes.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (703) 305-8130. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted
Stefano Karmis
07 December 2004



VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600